



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,467	09/28/2000	Arnold N. Blinn	MS1-624US	8910
22801	7590	12/02/2005	EXAMINER -	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			PATEL, JAGDISH	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/675,467	Applicant(s) BLINN ET AL.	
	Examiner JAGDISH PATEL	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26,28-33 and 43-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26,28-33 and 43-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/19/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to amendment filed 8/19/2005.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/19/05 has been entered.

Response to Amendment

3. Claims 26, 28, 29, 31-33, 43-46 and 48-54 have been amended. Claims 26, 28-33, 43-54 are currently pending.

Response to Arguments

Art Unit: 3624

4. Rejection of claims 52-52 under 35 USC § 101 and claim 54 under 35 USC § 112, second paragraph, has been withdrawn.

5. Applicant's arguments with respect to rejection of claims 26, 28, 30-33, 43-45 and 47-55 under 35 USC § 102(e) over Oneda patent reference have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 26, 28, 31-33, 43-45 and 47-54 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Leary et al. (US 6,704,714). (hereafter O'Leary).

Claims 26, 28, 30-33 and 43, 44: O'Leary teaches a computerized method (see Figure 2, col. 9 and 10) which comprises of maintaining on a server a payment account (an IPA or a DDA) in a user-accessible wallet (PPP enhanced wallet 215) corresponding to a particular user, wherein the payment account (an IPA or a DDA) stores information that identifies an associated external account where funds available to the user are maintained (subordinate IPA and/or VPL account(s) controlled by the IPA, see at least col. 10 L 27+) and restricting where funds in the external account identified by the payment account can be spend (see col. 10 L 35-42, limit the amount or .unapproved VPL accounts..(.unapproved Internet sites)). O'Leary, further teaches

Art Unit: 3624

the limitations, group of merchants that changes over time (inherent since the parent of the IPA can change the restricted Internet sites as desired), external accounts. O'Leary further discloses features of restricting the funds in the external accounts such that the payment account can be combined with funds from another external account. O'Leary further discloses payment account comprises one of a credit account, a debit account ..etc. (col. 9 L 46+), restricting different external accounts in different manners (see col. 10 L 35+ limiting the funding of children's accounts) and restrictions regarding where the funds identified by the payment account can be spent (see claim 28 analysis, and col 10).

Claims 44-45 and 47-54 are apparatus and/or system claim which correspond to method claims 26, 28-33 and 43 and based upon the implement of O'Leary as disclosed in Figure 2 and described in detail throughout the detailed description provided therein.

8. Claim 29 and 46 rejected under 35 U.S.C. 103(a) as being unpatentable over O'Leary as applied to claim 26 and further in view of Official Notice.

Regarding claim 29: O'Leary fails to explicitly teach, however Official Notice is taken that providing expiration date for credit cards, gift cards and smart card is old and well known in the commercial art.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to limit the use of the payment account via an expiration date because this would enhance security of the funds maintained in the electronic wallet.

Apparatus claim 46 corresponds to method claim 32 and has been similarly analyzed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3624

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

11/28/05

